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Fourth special session
23-24 September 1999

ANNOTATIONS TO THE PROVISIONAL AGENDA

Prepared by the Secretary-General

1. It may be recalled that the Economic and Social Council, in its resolution 1990/48 of 25 May 1990, authorized the Commission on Human Rights to meet exceptionally between its regular sessions, provided that a majority of States members of the Commission so agreed.

2. On 9 September 1999, the Permanent Representative of Portugal to the United Nations Office at Geneva addressed a letter to the High Commissioner for Human Rights requesting her to convene a special session of the Commission on Human Rights (see E/CN.4/S-4/2).

3. On 9 September 1999, pursuant to decision 1993/286 of 28 July 1993 of the Economic and Social Council which established the procedure for convening special sessions of the Commission on Human Rights, the members of the Commission were requested to indicate their wishes in regard to this request, with a view to ascertaining whether the majority of the members agreed to the holding of a special session. By the prescribed deadline, replies were received from 37 States members of the Commission on Human Rights. Of these, there were 27 affirmative responses. Twenty-six (26) of these had been received in writing by 6.00 p.m. Geneva time on Thursday, 16 September 1999. In respect of the response of the Government of Rwanda, the Secretariat received a telephone call at 5.30 p.m. Geneva time on that day advising it that the response was affirmative but that the Government was experiencing

technical problems in sending its written answer. The written reply was duly received at 8.19 p.m. Geneva time. A legal opinion was sought from the Office of Legal Affairs which advised that the response of the Government of Rwanda could be counted towards the required majority. In all the circumstances, the Secretariat considered it necessary to consult the States members of the Commission whether the response of the Government of Rwanda should be deemed to have been received on time. Members of the Commission were provided with the opinion of the Office of Legal Affairs. The result of the consultations was 28 in favour, 15 against and 2 which did not take a position for or against.

4. It was thus reconfirmed that a majority of States members of the Commission supported the convening of a special session and, in accordance with Economic and Social Council resolution 1993/286, the Office of the High Commissioner communicated to member States that the special session would open on Thursday, 23 September 1999 at 3.00 p.m. at the United Nations Office at Geneva in Room XVII.

5. It will be recalled that at its fifty-fifth session the Commission elected the following officers, who will constitute the Bureau for the fourth special session:

Chairperson:	Ms. Anne Anderson (Ireland)
Vice-Chairpersons:	Mr. Romans Baumanis (Latvia)
	Mr. Luis Alberto Padilla Menéndez (Guatemala)
	Mr. Shambhu Ram Simkhada (Nepal)
Rapporteur:	Mr. Raouf Chatty (Tunisia)

Item 1. Adoption of the agenda

6. The Commission will have before it the provisional agenda (E/CN.4/S-4/1) prepared by the Secretary-General in accordance with rule 5 of the rules of procedure of the functional commissions of the Economic and Social Council, as well as the present annotations relating to the items included in the provisional agenda.

Item 2. Organization of work of the session

7. In accordance with normal practice, the Commission will consider the organization of its work at its 1st meeting. It may be recalled that at its third special session, the Commission accepted the recommendation of its Bureau regarding the limitation of the duration of statements. Members of the Commission, observers and representatives of non-governmental organizations were limited to one statement of 10 minutes. It was also agreed that, with

regard to rights of reply, the practice followed by the Third Committee of the General Assembly, namely a limitation to two replies, five minutes for the first and three minutes for the second, would be observed. The Commission also accepted the recommendation of its Bureau that the requirement stipulated in rule 52 of the rules of procedure of the functional commissions of the Economic and Social Council should be waived.

Composition of the Commission

8. The composition of the Commission for 1999 is the following (the term of membership of each State expires on 31 December of the year indicated in brackets): Argentina (1999), Austria (1999), Bangladesh (2000), Bhutan (2000), Botswana (2000), Canada (2000), Cape Verde (1999), Chile (2000), China (1999), Colombia (2001), Congo (2000), Cuba (2000), Czech Republic (1999), Democratic Republic of the Congo (1999), Ecuador (1999), El Salvador (2000), France (2001), Germany (1999), Guatemala (2000), India (2000), Indonesia (1999), Ireland (1999), Italy (1999), Japan (1999), Latvia (2001), Liberia (2001), Luxembourg (2000), Madagascar (2001), Mauritius (2001), Mexico (2001), Morocco (2000), Mozambique (1999), Nepal (2000), Niger (2001), Norway (2001), Pakistan (2001), Peru (2000), Philippines (2000), Poland (2000), Qatar (2001), Republic of Korea (2001), Romania (2001), Russian Federation (2000), Rwanda (2000), Senegal (2000), South Africa (1999), Sri Lanka (2000), Sudan (2000), Tunisia (2000), United Kingdom of Great Britain and Northern Ireland (2000), United States of America (2001), Uruguay (1999), Venezuela (2000).

Item 3. Letter dated 9 September 1999 from the Permanent Representative of Portugal to the United Nations Office at Geneva, addressed to the High Commissioner for Human Rights

9. This letter, on the basis of which the present session is convened, is circulated as document E/CN.4/S-4/2.

Item 4. Report to the Economic and Social Council on the fourth special session

10. Rule 37 of the rules of procedure of the functional commissions of the Economic and Social Council provides that the Commission shall submit to the Council a report, which shall normally not exceed 32 pages, on the work of each session, containing a concise summary of recommendations and a statement of issues requiring action by the Council. It shall, as far as practicable, frame its recommendations and resolutions in the form of drafts for approval by the Council.